

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Fabian Hopson,

Plaintiff,

-against-

Research Foundation for Mental Hygiene,
Inc.,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 7/6/2023

22-cv-05617 (SDA)

ORDER

STEWART D. AARON, UNITED STATES MAGISTRATE JUDGE:

This case contains one or more claims arising under the Fair Labor Standards Act. The parties apprised the Court on June 15, 2023 that a settlement has been reached. (Status Report, ECF No. 41.) The parties thereafter consented to have all proceedings held before me. (Notice, ECF No. 45.) In light of the requirements of *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015), the parties must file a joint letter or motion that addresses whether the settlement is fair and reasonable.

Any such letter or motion shall be filed by Thursday, July 20, 2023 and should address the claims and defenses, the defendant's potential monetary exposure and the bases for any such calculations, the strengths and weaknesses of the plaintiff's case and the defendant's defenses, any other factors that justify the discrepancy between the potential value of plaintiff's claims and the settlement amount, the litigation and negotiation process, as well as any other issues that might be pertinent to the question of whether the settlement is reasonable (for example, the collectability of any judgment if the case went to trial).

The joint letter or motion should also explain the attorney fee arrangement, attach a copy

of the retainer agreement, and provide information as to actual attorney's fees expended and the relevant experience of the attorney(s). Finally, a copy of the settlement agreement itself must accompany the joint letter or motion.

SO ORDERED.

Dated: New York, New York
July 6, 2023

A handwritten signature in black ink, reading "Stewart D. Aaron". The signature is written in a cursive, flowing style.

STEWART D. AARON
United States Magistrate Judge